



Order Filed on January 30, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

MELLINGER KARTZMAN LLC

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Morris Plains, New Jersey 07950

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Attorneys for Steven P. Kartzman, Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

**JAMES X. REZABALA and ERIKA
M. PENACHI,**

Debtors.

Case No. 19-25396 (VFP)

Chapter 7

Honorable Vincent F. Papalia

CONSENT ORDER FIXING DEBTORS' EXEMPTION CLAIMS

The relief set forth on the following pages, numbered two (2) and (3), is hereby
ORDERED.

DATED: January 30, 2023

A handwritten signature in black ink, appearing to read "Vincent F. Papalia", is written over a horizontal line.

**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

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Debtor: James X. Rezabala and Erika M. Penachi
Case No.: 19-25396 (VFP)
Caption: Consent Order Fixing Debtors' Exemption Claims

THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger Kartzman LLC, on the filing of an Application for Entry of a Consent Order in lieu of a formal Notice of Motion, and the Trustee and the Debtors, James X. Rezabala and Erika M. Penachi (collectively the "Debtors") having agreed to amicably resolve the issues on the terms set forth herein, as evidenced by the consent of the Debtors' counsel and the Trustee's counsel affixed hereto, and good cause having been shown, it is hereby

ORDERED AS FOLLOWS:

1. James X. Rezabala's ("Rezabala") shall be allowed an exemption claim of \$25,150.00 pursuant to 11 U.S.C. § 522(d)(1) against his interest in 3365 Kennedy Boulevard, Jersey City, NJ (the "Property").
2. Erika M. Penachi ("Penachi") shall be allowed an exemption claim of \$9,826 pursuant to 11 U.S.C. § 522(d)(5) against the Property
3. Neither Rezabala nor Penachi shall be entitled to any further exemption claim against the Property.
4. The terms of this Consent Order are subject to the Court's approval and the issuance of a Notice of Settlement (the "Notice") and the following:
 - (a) If no objection to the Notice is filed, the issuance and docketing of a Certification of No Objection by the Clerk of the Bankruptcy Court; or
 - (b) If any objection to the Notice is filed, the overruling of any such objection by this Court.

In the event that an objection to the settlement is filed and sustained, the parties shall be restored to their pre-settlement positions.

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Debtor: James X. Rezabala and Erika M. Penachi
Case No.: 19-25396 (VFP)
Caption: Consent Order Fixing Debtors' Exemption Claims

5. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

6. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

7. A true copy of this Order shall be served upon the interested parties within 7 days of the date hereof.

*The undersigned hereby consent to the
form and entry of the within Order:*

MELLINGER KARTZMAN LLC
Attorneys for Steven P. Kartzman
As Chapter 7 Trustee

By: Steven A. Jayson
STEVEN A. JAYSON, ESQ.

Dated: January 20, 2023

WILLIAM P. BONOMO
Attorney for the Debtors

By: William P. Bonomo
WILLIAM P. BONOMO, ESQ.

Dated: January 20, 2023

In re:
James X. Rezabala
Erika M. Penachi
Debtors

Case No. 19-25396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 30, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 01, 2023:

Recip ID	Recipient Name and Address
db	#+ James X. Rezabala, 3365 Kennedy Blvd., Jersey City, NJ 07307-4208
jdb	+ Erika M. Penachi, 453 Tomas Ave., Apt. 2, Lyndhurst, NJ 07071-3117

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 01, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 30, 2023 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Douglas J. McDonough	on behalf of Creditor BANK OF AMERICA N.A. dmcdonough@flwlaw.com
Joseph R Zapata, Jr	on behalf of Plaintiff Steven P. Kartzman jzapata@msbnj.com
Kevin Gordon McDonald	on behalf of Creditor BANK OF AMERICA N.A. kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Jan 30, 2023

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Total Noticed: 2

Steven A. Jayson

on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net
jloewenstein@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Attorney Mellinger Kartzman LLC Trustee@msklaw.net
nj16@ecfcbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Trustee Steven P. Kartzman Trustee@msklaw.net
nj16@ecfcbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

Trustee@msklaw.net
nj16@ecfcbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William P. Bonomo

on behalf of Joint Debtor Erika M. Penachi nyattybill@aol.com
bonomolawecf@gmail.com;claudia@garanticesufuturo.com;lediazlaw@gmail.com;bonomowr58406@notify.bestcase.com

William P. Bonomo

on behalf of Debtor James X. Rezabala nyattybill@aol.com
bonomolawecf@gmail.com;claudia@garanticesufuturo.com;lediazlaw@gmail.com;bonomowr58406@notify.bestcase.com

TOTAL: 11